



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

March 16, 2021

VIA E-MAIL

Robert J. Harris
Second Vice President
One Tower Square, 7FP
Hartford, CT 06183

Re: Supplemental Request for Information Pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act for **Walker Machine Products Superfund Site**, Collierville, Shelby County Tennessee

Dear Mr. Harris:

Thank you for your e-mail of June 27, 2020, providing the St. Paul Fire and Marine Insurance Company ("St. Paul") policy evidence to-date, as well as your October 16, 2020 letter and October 23, 2020 supplemental response regarding coverage issued to Walker Machine Products. After reviewing the policy evidence you provided, the EPA found various inconsistencies between the information reflected in the SPC Policy Search and the information in the applications for insurance and found that documents submitted were incomplete. Therefore, the EPA requests, pursuant Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604(e), that you answer this Information Request. Pursuant to Section 104(e) of CERCLA, your response to this Information Request is mandatory. We encourage you to give this matter your full attention, and we ask you to respond to this request for information within thirty (30) days from the date of this letter.

Information Requested

1. **Policy Number** (b)(4)

In its responses to the EPA's Information Request, Travelers did not produce an insurance policy with the number (b)(4). However, the information provided shows that a policy with that number was issued to Walker Machine. Each insurance application from 1986 to 1988 asked the applicant to list prior carrier information for the previous five years. On those applications, Walker Machine (or its insurance agent) indicated that the company owned Policy Number (b)(4), issued by St. Paul, from 1981 to 1985. Similarly, a 1989 "Account Summary Modular," included with Travelers' supplemental response, indicated that Walker Machine owned Policy 641NB2200 from April 1, 1983 to April 1, 1985, as well as an unknown policy for the six years prior to 1983. The handwritten notes included in Travelers' original response also state that Walker Machine owned (b)(4) from 1984-1985, but the policy was destroyed.

The information in the SPC Policy Search provided to the EPA, however, is inconsistent with these applications and notes. The Search indicates that Policy Number (b)(4) commenced on April 1, 1983 and expired on April 1, 1984. This policy does not appear elsewhere in the search results.

- a. Provide copies of Policy Number (b)(4) for the years 1984, 1985, and any prior year the policy was issued.
 - b. If you are unable to obtain copies of these policies, identify any person or organization whom you believe possesses copies of these policies.
2. **Policy Number (b)(4)**
 - a. Provide copies of Policy Number (b)(4) for the year 1985 and any other year that the policy was issued.
 - b. Confirm that the limit on Policy Number (b)(4) is (b)(4).
 - c. If you are unable to obtain copies of these policies, identify any person or organization whom you believe possesses copies of these policies.
3. In addition to the policies identified in Questions 1 and 2, the SPC Policy Search identifies St. Paul policies issued from 1978 to 1983, namely Policies Number (b)(4), (b)(4), and (b)(4). Copies of these policies are missing from Travelers' submissions in response to the EPA's April 14, 2020 Information Request.
 - a. Provide copies of these policies or any other policies issued prior to 1986.
 - b. If you are unable to obtain copies of these policies, identify any person or organization whom you believe possesses copies of these policies.
4. If you are unable to produce the copies of policies identified in Questions 1-3, provide any templates, model documents, standard language, and any other documents or evidence relevant to the reconstruction of such policies.
5. To the extent they have not been provided in Travelers' response and supplemental response, provide all underwriting files, claim files, loss control files, and premium audits, as well as any accounting records including retrospective rating adjustments for the policies identified in Questions 1-3.
6. To the extent they have not been provided in Travelers' response and supplemental response, provide all documents and files that constitute, evidence, refer, or relate to claims made by Walker Machine or any other party under any of the policies identified in Questions 1-3.

Please send your response electronically to Graham Burkhalter at burkhalter.robert@epa.gov. You may designate another official with the requisite authority to respond on your behalf. However, failure to respond to this information request may result in the EPA seeking penalties of up to \$57,317 per day of violation. In addition, furnishing false, fictitious, or fraudulent statements or representations is subject to criminal penalty under 18 U.S.C. § 1001.

If you have any questions regarding this letter, please contact me at the email listed above, or by phone at (404) 562-9519. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Graham Burkhalter".

Graham Burkhalter
Assistant Regional Counsel
U.S. EPA, Region 4